

**OWOSSO CITY COUNCIL
ORGANIZATIONAL MEETING**

NOVEMBER 09, 2009

7:37PM

City Clerk Amy K. Kohagen administered the Oath of Office to Thomas B. Cook (four year term); Michael J. Erfourth (four year term); Cindy S. Popovitch (four year term); and Christopher T. Eveleth (two year term).

City Manager Joseph A. Fivas addressed the City Council regarding the custom of having the City Clerk chair the meeting until a Mayor is elected. There was a consensus of the City Council to have the City Clerk chair the meeting.

City Clerk Kohagen called the meeting to order at 7:31 p.m. and led the Pledge of Allegiance to the Flag.

PRESENT: Councilpersons Cook, Erfourth, Eveleth, Forster, Frederick, Martenis, and Popovitch.

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Forster to approve the Agenda as presented with the addition of a Citizen Comments and Questions period prior to Adjournment.

Motion supported by Councilperson Martenis and concurred in by unanimous vote.

ADOPTION OF RULES OF ORDER

City Attorney William C. Brown addressed the City Council regarding the staff recommendation for the adoption of Robert's Rules of Order, 1990 Edition – 9th Edition, as the rules of procedure.

Motion by Councilperson Cook to adopt Robert's Rules of Order, 1990 Edition – 9th Edition as the rules of procedure.

Motion supported by Councilperson Popovitch and concurred in by unanimous vote.

ELECTION OF MAYOR

City Clerk Kohagen explained the method of voting for Mayor and Mayor Pro-Tem.

Councilperson Eveleth nominated Councilperson Frederick for Mayor.

Councilperson Forster nominated Councilperson Cook for Mayor.

Roll Call Vote.

Cook:	Frederick
Erfourth:	Frederick
Eveleth:	Frederick
Forster:	Cook
Frederick:	Frederick
Martenis:	Frederick
Popovitch:	Frederick

City Clerk Kohagen administered the Oath of Office and turned over the chair of the meeting to Mayor Frederick.

Mayor Frederick said he was humbled and honored to be elected Mayor.

ELECTION OF MAYOR PRO-TEM

Councilperson Cook nominated Councilperson Popovitch for Mayor Pro-Tem.
Councilperson Eveleth nominated Councilperson Martenis for Mayor Pro-Tem.

Roll Call Vote.

Cook:	Popovitch
Erfourth:	Popovitch
Eveleth:	Martenis
Forster:	Popovitch
Martenis:	Martenis
Popovitch:	Popovitch
Mayor Frederick:	Popovitch

City Clerk Kohagen administered the Oath of Office to Mayor Pro-Tem Popovitch.

CONSIDERATION OF CITY COUNCIL RULES OF PROCEDURE

There was discussion regarding adding a civility clause to the Rules of Procedure. Some Councilpersons objected as they felt civil behavior should be assumed without a written directive. Others felt it would be a clear and effective statement of what is expected of all those present during a meeting.

Motion by Councilperson Cook to add the following civility clause to the City Council Rules of Procedure.

Councilmembers, City staff, and members of the public will communicate respectfully with each other in their conversations, reports, debates, and testimony. All present will listen attentively to others when they are speaking, not interrupt others or carry on side conversations; and when given the floor will speak to the issues at hand, not engage in personal attacks or use derogatory language, and will honor the right of all to contribute to public policy deliberation.

Motion supported by Popovitch.

Roll Call Vote.

AYES: Councilpersons Cook, Eveleth, Forster, Mayor Pro-Tem Popovitch, and Mayor Frederick.

NAYS: Councilpersons Erfourth and Martenis.

Councilperson Cook noted the clause was not intended to criticize anyone; his hope was that the rule would provide useful guidance.

Motion by Councilperson Cook to adopt the following Rules of Procedure as amended.

CITY COUNCIL RULES OF PROCEDURE

Rules for Roll Call Votes

1. *These rules are adopted pursuant to Section 5.4(j) of the Charter of the City of Owosso.*
2. *The purpose of these rules is to establish the procedure to be followed when conducting a roll call vote of City Council members.*

3. *When requested by the Mayor or, in his or her absence, the presiding officer, to conduct a roll call vote, the City Clerk shall call the names of all Council members except the Mayor in a random order followed by the name of the Mayor.*
4. *The City Clerk shall implement these rules in such a manner as to insure that the order in which names of Council members is called shall vary from one roll call vote to the next.*
5. *The City Clerk shall use a computer randomization program or other similar method to insure that each Council member's name has a statistically equal probability of appearing in any given position in the order of the roll call.*
6. *If a member of the Council is absent from a meeting, the City Clerk may strike his or her name from the roll call and such striking shall not constitute a violation of the procedure for random roll call voting. If the Mayor is absent from a meeting, the name of the presiding officer shall be included in the random roll call vote.*

Rules for Addressing A Meeting of the City Council

1. *These rules are adopted pursuant to Section 3(5) of P.A. 267 of 1976, commonly known as the Open Meetings Act.*
2. *The purpose of these rules is to establish procedures to be followed when persons desire to address a meeting of the City Council so as to insure that all persons who wish to do so are afforded an adequate opportunity to exercise the right to address their city government while conducting the public business in an orderly, professional manner.*
3. *Persons wishing to address a meeting of the City Council shall do so during times set aside on the agenda for that purpose and at other times when recognized by the Mayor for the purpose of addressing the meeting.*
4. *Persons wishing to address the City Council and attending officials shall stand, raise a hand, or otherwise signal a desire to speak, and wait to be recognized by the Mayor. When so recognized, persons shall give their names and addresses, and address their comments and/or questions to any City official attending the council meeting.*
5. *Each person wishing to address the City Council shall be afforded one opportunity of up to four (4) minutes duration during the first occasion provided for citizen comments and questions, one opportunity of up to three (3) minutes duration during the last occasion provide for citizen comments and questions and one opportunity of up to two (2) minutes duration during each public hearing; provided, however, that comments made during public hearings shall be relevant to the subject for which the public hearings are held.*
6. *In addition to the opportunities to address the City Council described above, a citizen may respond to questions posed to him or her by the Mayor or members of the Council provided that members of the Council have been given the floor by the Mayor to pose such questions.*
7. *Each citizen comment and question period described in paragraph 6 excluding public hearings shall last up to thirty minutes. If time expires for the comment and question period and additional time appears necessary to accommodate citizens wishing to address city officials, the council may vote to extend the period for a specific length of time. Only one such extension of each comment and question period shall be permitted during a Council meeting.*

Rule of Civility

1. *Councilmembers, City staff, and members of the public will communicate respectfully with each other in their conversations, reports, debates, and testimony. All present will listen attentively to others when they are speaking, not interrupt others or carry on side conversations; and when given the floor will speak to the issues at hand, not engage in personal attacks or use derogatory language, and will honor the right of all to contribute to public policy deliberation.*

Motion supported by Councilperson Eveleth.

Roll Call Vote.

AYES: Councilpersons Cook, Martenis, Erfourth, Mayor Pro-Tem Popovitch, Councilpersons Forster, Eveleth, and Mayor Frederick.

NAYS: None.

MEETING SCHEDULE

Motion by Councilperson Eveleth to continue to hold City Council meetings on the first and third Monday of each month at 7:30 p.m.

Motion supported by Councilperson Erfourth.

There was discussion regarding changing the meeting to 7:00 p.m. Some members noted many other meetings start at 7:00 p.m. and it gets dark early in the winter. Others felt the 7:30 start time accommodated those working out of town and allowed more people to attend the meetings.

Councilperson Eveleth withdrew his motion. Councilperson Erfourth withdrew his support.

Motion by Councilperson Eveleth to change the start time for City Council meetings to 7:00 p.m.

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilpersons Eveleth and Martenis.

NAYS: Councilpersons Erfourth, Forster, Mayor Pro-Tem Popovitch, Councilperson Cook, and Mayor Frederick.

Motion by Councilperson Erfourth to continue to hold City Council meetings on the first and third Monday of each month at 7:30 p.m.

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Cook, Forster, Martenis, Erfourth, and Mayor Frederick.

NAYS: None.

City Manager Fivas noted that meeting times could be and are sometimes adjusted as necessary.

CITIZEN COMMENTS AND QUESTIONS

Former Mayor Michael Bruff congratulated Mayor Frederick and Mayor Pro-Tem Popovitch and the rest of the new Council members on their election. He went on to say he enjoyed his experience on City Council and was optimistic about the future.

Mayor Pro-Tem Popovitch indicated she was honored and proud to be a member of Council and she was excited to work with the other Council members.

ADJOURNMENT

Motion by Councilperson Eveleth, supported by Councilperson Erfourth for adjournment at 7:53 p.m. and concurred in by unanimous vote.

Benjamin R. Frederick, Mayor

Amy K. Kohagen, City Clerk